

amendment is found in Figure 2B of the drawings and in the specification at Page 12, lines 26-34. Claims 25 and 26 have been amended to provide that the electrical contacts are fixed relative to the body. Support for this amendment is found in Figures 2-4 of the drawings.

New claims 37 and 38 have been added by this amendment. Support for claims 37 and 38 can be found in claims 24 and 25.

Claims 27 and 34 have been amended solely to comply with formal requirements.

Reconsideration of the rejected claims is respectfully requested in view of the above-recited amendments and the arguments set forth below.

INTERVIEW SUMMARY

On October 15, 1998, Examiner John Tweel conducted a telephonic interview with the undersigned attorney for the Applicant. During the interview, the Examiner tentatively agreed that the references Jarlance-Huang and Bertram were not prior art. However, no formal decision would be made until the Applicant filed a response.

Objections to the Drawings:

The Official Draftsman has objected to the drawings on the basis of multiple informalities. Attorney for Applicant acknowledges the aforementioned informalities which will be appropriately amended upon receipt of the Notice of Allowability.

Objection to the Specification:

The specification has been objected to as containing informalities. The Applicant has amended the specification pursuant to the suggestions of the Examiner. Accordingly,

this rejection is believed to be overcome.

Rejection Under 35 U.S.C. § 112, Second Paragraph:

Claims 34 has been rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Claim 34 has been amended in view of the deficiency pointed out by the Examiner.

Accordingly, Applicant believes that all bases for rejecting the claims under 35 U.S.C. § 112 have been overcome.

Rejections Under 35 U.S.C. § 102(e):

Claim 23 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,668,574 issued to Jarlance-Huang (hereinafter "Jarlance-Huang"). Applicant respectfully submits that claim 23 is patentable.

Jarlance-Huang was filed on June 26, 1995. The present application claims priority on a U.S. Application No. 08/433,992, filed on May 5, 1995 (herein after "Parent Application"). The Parent Application is believed to teach and disclose the invention as claimed in claim 23. Thus, Jarlance-Huang is not prior art for claim 23. Accordingly, the § 102(e) rejection based on Jarlance-Huang is inappropriate and claim 23 is considered to be patentable.

Rejections Under 35 U.S.C. § 103:

Claims 24, 25, and 27

Claims 24, 25, and 27 have been rejected under 35 U.S.C. § 103 as being unpatentable over Jarlance-Huang in view of U.S. Patent No. 4,931,781 issued to

Miyakawa (hereinafter "Miyakawa"). The Examiner asserts that Jarlance-Huang teaches a central switch operated by the user's thumb. Miyakawa is further cited for the teaching of a cursor movement control key switch which controls the movement of a cursor on a display screen. It is the Examiner's position that it would be obvious to combine the teaching of Jarlance-Huang with the teaching of Miyakawa to arrive at the presently claimed invention. However, Applicant respectfully submits that claims 24, 25, and 27, overcome the present rejections.

As provided above, Jarlance-Huang is not prior art for claim 23. Claim 24, 25, and 27 depend from and contain all of the limitations of claim 23. Accordingly, any § 103 rejection of claim 24, 25, and 27 based on Jarlance-Huang is not appropriate.

Even if Jarlance-Huang was prior art, claim 24, 25, and 27, as amended, are believed to be patentable over Jarlance-Huang in view of Miyakawa. However, because Jarlance-Huang is clearly not prior art, Applicant does not see the need to highlight why Applicant's invention is patentably distinct.

Claim 26

Claim 26 has been rejected under 35 U.S.C. § 103 as being unpatentable over Jarlance-Huang in view of U.S. Patent No. 4,812,829 issued to Atsuki Osamu Ebina et al. (hereinafter "Ebina et al."). Ebina et al. is further cited for the teaching of a three-dimensional display device and method for pointing displayed three-dimensional image comprising a display, input, and controller to manipulate a three-dimensional vector cursor in response to the pointing signal from the input. It is the Examiner's position that it would be obvious to combine the teaching of Jarlance-Huang with the teaching of Ebina et al. to arrive at the presently claimed invention. However, Applicant respectfully submits that

claim 26, overcomes the present rejection.

As provided above, Jarlance-Huang is not prior art for claim 23. Claim 26 depends from and contains all of the limitations of claim 23. Accordingly, any § 103 rejection of claim 26 based on Jarlance-Huang is not appropriate.

Even if Jarlance-Huang was prior art, claim 26, as amended, is believed to be patentable over Jarlance-Huang in view of Miyakawa. However, because Jarlance-Huang is clearly not prior art, Applicant does not see the need to highlight why Applicant's invention is patentably distinct.

Claim 28

Claim 28 has been rejected under 35 U.S.C. § 103 as being unpatentable over Jarlance-Huang in view of U.S. Patent No. 5,412,377 issued to Benjamin F. Evans et al. (hereinafter "Evans et al."). Evans et al. is cited for the teaching of an apparatus for scheduling operating sessions to be performed by a group of remotely controlled devices. It is the Examiner's position that it would be obvious to combine the teaching of Jarlance-Huang with the teachings of Evans et al. to arrive at the presently claimed invention. However, Applicant respectfully submits that claim 28, overcome the present rejection.

As provided above, Jarlance-Huang is not prior art for claim 23. Claim 28 depends from and contains all of the limitations of claim 23. Accordingly, any § 103 rejection of claim 28 based on Jarlance-Huang is not appropriate.

Claims 29-32

Claims 29-32 have been rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,602,597 issued to Randal L. Bertram (hereinafter "Bertram") in view of Miyakawa. The Examiner asserts that Bertram teaches a control mechanism including a

display peripheral together with a set of choices and a cursor met by the display screen, that display a user interface that is based on user "levels", each of which are represented by a graphic and text display similar to a paper index card drawn on the screen. Bertram also teaches a claimed control device including a multiple function thumb switch met by the input device which is manipulatable in a three-axis environment. Miyakawa is further cited for the teaching of a cursor movement control key switch which controls the movement of the cursor on a display screen. It is the Examiner's position that it would be obvious to combine the teaching of Bertram with the teaching of Miyakawa to arrive at the presently claimed invention. However, Applicant respectfully submits that claims 29-32 overcome the present rejection.

Bertram was filed on May 31, 1995. The present application claims priority on the Parent Application, filed on May 5, 1995. The Parent Application is believed to teach and disclose the invention as claimed in claim 29. Thus, Bertram is not prior art for claim 29. Accordingly, the § 103 rejection of claim 29 based on Bertram is inappropriate. Because claims 30-32 depend from claim 29, they are also considered to be patentable.

Claims 33-36

Claims 33-36 have been rejected under 35 U.S.C. § 103 as being unpatentable over Bertram in view of Miyakawa and Ebina et al. The Examiner asserts that Bertram teaches a control mechanism including a display peripheral including a set of choices and a cursor met by the display screen, that display a user interface that is based on user "levels", each of which are represented by a graphic and text display similar to a paper index card drawn on the screen. Miyakawa and Ebina et al. are further cited for the teaching of a cursor movement controls the movement of a cursor on a display screen and an annular switching

device which slides between four (4) quadrant contacts to produce cursor control signals to the CPU which examines the terminals of said contacts. It is the Examiner's position that it would be obvious to combine the teaching of Bertram with the teaching of Miyakawa and Ebina et al. to arrive at the presently claimed invention. However, Applicant respectfully submits that claims 33-36, overcome the present rejections.

As provided above, Bertram was filed on May 31, 1995. The present application claims priority on the Parent Application filed on May 5, 1995. The Parent Application is believed to teach and disclose the invention as claimed in claim 33. Thus, Bertram is not prior art for claim 33. Accordingly, the § 103 rejection of claim 33 based on Bertram is inappropriate. Because claims 34-36 depend from claim 33, they are also considered to be patentable.

Remaining References:

The references cited by the Examiner, but not relied on for the rejection of claims, have been noted. The remaining references are no more pertinent than the applied references, therefore, a detailed discussion of these remaining references is deemed unnecessary for a full and complete response to the Office Action.

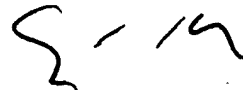
CONCLUSION

In conclusion, Applicant respectfully asserts that claims 23-38 are patentable for the reasons set forth above, and that the Application is now in a condition for allowance. Accordingly, an early Notice of Allowance is respectfully requested. The Examiner is

requested to call the undersigned at (619) 455-5700 for any reason that would advance the instant Application to issue.

Dated this 16th day of October, 1998.

Respectfully submitted,



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